UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,135	01/23/2002	Glenn F. Evans	MS1-1022US	9146

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EXAMINER
TRUONG, LECHI

ART UNIT	PAPER NUMBER
2126	

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	**Applicant(s)**
	10/055,135	GLENN F. EVANS
Office Action Summary	**Examiner**	**Art Unit**	
	LeChi Truong	2126	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _23 January 2002_.
2a)☐ This action is **FINAL**.　　2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
　　closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-42_ is/are pending in the application.
　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-42_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
　　a)☐ All b)☐ Some * c)☐ None of:
　　　　1.☐ Certified copies of the priority documents have been received.
　　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.
　　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　　　application from the International Bureau (PCT Rule 17.2(a)).
　　* See the attached detailed Office action for a list of the certified copies not received.
13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
　　since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
　　37 CFR 1.78.
　　a)☐ The translation of the foreign language provisional application has been received.
14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
　　reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)　　　　　　　　4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)　5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .　6) ☐ Other: .

DETAILED ACTION

1.   Claims 1-42 are presented for the examination.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2.   Claims 17-21, 25-29 and 32-40 are rejected under 35 U.S.C. 101 because they are directed to non-statutory subject matter.

    Claims 17, 25 and 32 are directed to method steps, which can be practiced mentally in conjunction with pen and paper, therefore they are directed to non-statutory subject matter. Specifically, as claimed, it is uncertain what performs each of the claimed method steps. Moreover, each of the claimed steps, inter alia, providing, adjusting and computing, can be practiced mentally in conjunctions with pen and paper. The claimed steps do not define a machine or computer implemented process (see MPEP 21061. Therefore, the claimed invention is directed to non-statutory subject matter. (The examiner suggests applicant to change "method" to "computer implemented method" in the preamble to overcome the outstanding 35 U.S.C. 101 rejection).

Claim Rejections - 35 USC § 103

    The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in mmmmmmsection 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-4, 6-15, 17-20, 22-23, 25-42 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Schmidt et al (US. Patent 5,768,523) in view of DeLeeuw et al (US. Patent

6,088,018).

4.   **As to claim 1**, Schmidt teaches the invention substantially as claimed including: an event

prediction module (the event management daemon 30, col 4, ln 64-67/ the event generation

module 58 of the event management daemon, col 6, ln 65-67 to col 7, ln 5-10), receiving event

notification requests from an application pertaining to the event (col 6, ln 65-67 to col 7, ln 5-

10), rendition times associated with the individual events (col 6, ln 34-36), predict rendition

times associated with the individual events(col 7, ln 3-11).

5.   Schmidt does not explicit teach media content samples that are to be rendered for a user,

and events associated with the media content samples. However, DeLeeuw teaches media

content samples that are to be rendered for a user (media content samples that are to be rendered

for a user, and render filter render the data signals, col 12, ln 55-60), and events associated with

the media content sample (col 13, ln 26-30).

6.   It would have been obvious to one of the ordinary skill in the art at the time the invention

was made to combine the teaching of Schmidt and DeLeeuw because DeLeeuw's media content

samples that are to be rendered for a user, and events associated with the media content samples

would control and process stream of time stamped multimedia data signals more effectively by using modular software components called filters.

7.   **As to claim 2**, Schmidt teaches an event list that stores information associated with events and associated rendition times (col 6, ln 28-35).

8.   **As to claim 3**, Schmidt teaches generate event notifications in accordance with their predicted rendition times (col 7, ln 3-10), send the notifications to an application (col 5, ln 43-46).

9.   **As to claim 4**, Schmidt teaches the event prediction module predicts the rendition times by taking into account one or more presentation rates that define a rate at which individual media content samples (col 7, ln 3-11).

10.   **As to claim 6**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above. In additional, DeLeeuw teaches multiple filters defining a filter graph (col 11, ln 63-65); render filters for rendering media content samples (col 12, ln 55-60), an event prediction module associated with the filter graph (col 14, ln 10-16).

11.   **As to claim 7**, DeLeeuw teaches the event prediction module is independent of any of the render filters (col 14, ln 10-16/ Fig. 11).

12.   **As to claim 8**, DeLeeuw teaches the event prediction module is located upstream of any of the render filters (the second data stream go to analyzer filter and after that forward to the bob detector filter for post the event notifications. The data stream do not pass the render filter so the event prediction module is located upstream of the render filter, col 14, ln 4-11)

13.   **As to claim 9**, DeLeeuw teaches the event prediction module comprises part of a filter upstream of any of the render filters (col 14, ln 30-35).

14.   **As to claim 10,** Schmidt teaches the event prediction module comprise part of the

application (col 4, ln 55-60).

15.   **As to claim 11,** DeLeeuw teaches the notifications are not back propagated through the

multiple filters of the filter graph (col 14, ln 65-67 to col 15, ln 1-3).

16.   **As to claim 12,** it is an apparatus claim of claim 6; therefore, it is rejected for the same

reason as claim 6 above. In additional, DeLeeuw teaches a source filter comprising an event

prediction module (col 14, ln 29-34).

17.   **As to claims 13-15, 17-20,** they are apparatus claims of claims 1, 2-4; therefore, they are

rejected for the same reasons as claims 1, 2-4 above.

18.   **As to claim 22,** it is an apparatus claim of claim 1; therefore, it is rejected for the same

reason as claim 1 above. In additional, Schmidt teaches send at least one event notification to the

application (col 5, ln 42-46), responsive to an associated event having been predicted to occur at

a particular rendition time (col 7, ln 1-7 and col 4, ln 16-22).

19.   **As to claims 23, 25,** they are apparatus claims of claims 4, 6; therefore, they are rejected

for the same reasons as claims 4, 6 above.

20.   **As to claim 26,** DeLeeuw teaches the act of predicting is performed independent of any

information provided by said one or more render filters (col 14, ln 9-15).

21.   **As to claims 27, 28, 29,** they are apparatus claims of claims 7, 8, 9; therefore, they are

rejected for the same reasons as claims 7, 8, 9 above.

22.   **As to claim 30,** it is an apparatus claim of claim 6; therefore, it is rejected for the same

reason as claim 6 above. In additional, DeLeeuw teaches one or more processors

(Microprocessor, Fig. 3).

23.   **As to claims 31, 32, 33,** they are apparatus claims of claims 26, 22; therefore, they are

rejected for the same reasons as claims 26, 22 above.

24.   **As to claims 34,** DeLeeuw teaches act of sending is performed independent of an

associated event actually occurring (col 14, ln 66-67 to col 15, ln 1-2).

25.   **As to claims 35-42,** they are apparatus claims of claims 27, 29, 34, 22, and 15; therefore,

they are rejected for the same reasons as claims 27, 29, 34, 32 and 15 above.

26.   Claims **5, 16, 21, 24** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Schmidt et al (US. Patent 5,768,523) in view of DeLeeuw et al (US. Patent 6,088,018) as apply

to claim 1 and further in view of CG (computer Graphics workshop' 97 Lecture Notes).

27.   **As to claim 5,** Schmidt and DeLeeuw do not teach performing linear interpolation.

However, CG teaches performing linear interpolation (a liner interpolation, page 4 of 10, ln 20-

22).

28.   It would have been obvious to one of the ordinary skill in the art at the time the invention

was made to combine the teaching of Schmidt, DeLeeuw and CG because CG's linear

interpolation would perform calculation animation of the camera over a specifiable period of

time whenever the mouse is clicked.

29.   **As to claims 16, 21, 24,** they are apparatus claims of claim 5; therefore, they are rejected

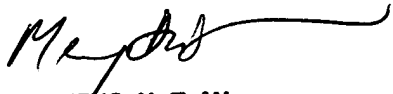for the same reason as claim 5 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272 3767. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR of Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

February 22, 2005

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